



# Town of Brunswick, Maine

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT

85 UNION STREET

BRUNSWICK, MAINE 04011-1583

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## BRUNSWICK PLANNING BOARD CONTRACT ZONING APPLICATION PACKET

This Packet Includes:

- I. Summary of Review Applicability and Process
- II. Application Form
- III. Checklist

Note that this review process summary and the submission checklist are provided only as a ready reference for your convenience. For a complete reading of the provisions governing development review in Brunswick, the applicant must refer to the Brunswick Zoning Ordinance, available online at [www.brunswickme.org](http://www.brunswickme.org).

## **General**

Occasionally, traditional zoning methods and procedures such as variances, conditional use permits, and alterations to the zone boundaries are inadequate to promote desirable development. In these special situations, more flexible and adaptable zoning methods are needed to permit differing land uses in both developed and undeveloped areas, to promote development that will be to the public's benefit, and at the same time recognize the effects of change. In consideration of a change in zoning classification for a particular property or group of properties, it may be determined that public necessity, convenience, or the general welfare require that provisions be made to impose certain limitations or restrictions on the use or development of the property. Such conditions are deemed necessary to protect the best interests of the property owner, the surrounding property owners and the neighborhood, all other property owners and citizens of the town, and to secure appropriate development consistent with the town's comprehensive plan

## **Review Procedure**

1. Applications for Contract Zoning shall include those materials as listed in the attached requirements for Contract Zoning showing that the application satisfies the standards in Subsection 5.2.13.C (Application Contents) listed below.
2. When an application is filed, a public hearing will be scheduled in accordance with Subsection 5.1.3.B (Notice Provided). Notification of the Public Hearing will be provided by the Town to all property owners within 300 feet of the affected property.
3. After the public hearing, the planning board shall provide an advisory recommendation on the request for contract zoning to the town council. Before forwarding its recommendation to the town council, the planning board shall make a finding on each of the three factors in this subsection. A favorable recommendation to the council requires a positive finding on all three factors. If the planning board makes a negative finding on any of the factors, its recommendation shall be negative. The planning board shall base its recommendation on whether the proposed rezoning:
  - a. Is consistent with the comprehensive plan;
  - b. Is consistent with, but not limited to, the existing uses and allowed uses within the original zone; and
  - c. is subject to conditions sufficient to achieve the purposes described in 5.1.13.A.
4. The town council shall act on the request for contract zoning following the procedures of Section 210 of the Brunswick Town Charter for enactment of ordinances. The council may begin its review of the request for contract zoning at any time, but may not hold its public hearing until the planning board has held its public hearing under 5.1.13.D, and the council shall not take final action on the request for contract zoning until the council has received the recommendation of the planning board under 5.1.13 F.

## **Criteria for Approval**

A request for contract zoning shall include a written petition to the planning board requesting a rezoning, including the following:

1. Evidence of right, title or interest in the property;
2. A plot plan showing the boundaries of the parcel and its dimensions, as well as the existing and proposed buildings and structures;
3. A plan showing the location of existing streets and driveways within 200 feet of the property;
4. A detailed statement of the proposed use of the property and the precise zoning change requested (which may be contained in a draft contract zoning agreement);
5. A statement explaining how it is consistent with the comprehensive plan and permitted and existing uses within the original zone.

6. A statement setting forth the conditions or restrictions that the applicant proposes. The planning board may propose additional conditions or restrictions.

#### **APPLICABLE FEES**

##### **Application Fee:**

\$5,000.00

**CONTRACT ZONING  
APPLICATION**

1. Project Name: \_\_\_\_\_

2. Project Applicant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

4. Property Owner (if different than applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

5. Authorized Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

6. List of Design Consultants. Indicate the registration number, address and phone number, email for any additional project engineers, surveyors, architects, landscape architects or planners:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

7. Physical Location of Property: \_\_\_\_\_

8. Lot Size: \_\_\_\_\_

9. Current Zoning District: \_\_\_\_\_

10. Overlay Zoning District(s): \_\_\_\_\_

11. Indicate the interest of the applicant in the property and abutting property. For example, is the applicant the owner of the property and abutting property? If not, who owns the property subject to this application?

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12. Assessor's Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_ of subject property.

13. Brief description of proposed zoning: \_\_\_\_\_

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Property Owner Signature:

\_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Name (Printed):

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Applicant Signature (*if different*):

\_\_\_\_\_ Date: \_\_\_\_\_

Applicant Name (Printed)

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| <b>REQUIREMENTS FOR CONTRACT ZONING APPLICATION SUBMITTAL</b><br><br>Please mark box with one of the following:<br><b>“W”</b> (Waiver); <b>“P”</b> (Pending); <b>“X”</b> (Submitted) or <b>“N/A”</b> (Not applicable) |   |  |
|---|---|--|
| <b>General</b>  | Application form and fee  |  |
|   | Name of Contract Zone   |  |
|   | Location map  |  |
|   | Names of current owner(s) of subject parcel and abutting parcels  |  |
|   | Names of engineer and surveyor; and professional registration numbers of those who prepared the plan  |  |
|   | Documentation of Right, Title and Interest  |  |
|   | A plot plan showing the boundaries of the parcel and its dimensions, as well as the existing and proposed buildings and structures;                             |  |
|   | A plan showing the location of existing streets and driveways within 200 feet of the property;  |  |
|   | A detailed statement of the proposed use of the property and the precise zoning change requested (which may be contained in a draft contract zoning agreement); |  |
|   | A statement explaining how it is consistent with the comprehensive plan and permitted and existing uses within the original zone.                               |  |
| A statement setting forth the conditions or restrictions that the applicant proposes. The planning board may propose additional conditions or restrictions.   |   |  |